

REMARKS/ARGUMENTS

Claims 1-33 are pending in the present application. The Examiner has rejected claims 1, 2, 6-15, 17-19, 21, 22 and 26-30. The Examiner has objected to claims 3-5, 16, 20, 23-25 and 31-33. Applicant respectfully requests reconsideration of pending claims 1-33.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(b) as allegedly being anticipated by admitted prior art RFC 2475. Applicant respectfully disagrees.

As to claim 1, Applicant submits the cited portions of the cited reference fail to disclose the subject matter of claim 1. As one example, while the Examiner cites "(buffers of the DS boundary nodes)" as allegedly disclosing "a service interface," Applicant notes the Examiner relies upon "...DS boundary nodes which classify...ingress traffic...to ensure that packets which transit the domain are appropriately marked to select a PHB from one of the PHB groups supported within the domain..." and "PHBs are implemented in nodes by means of some buffer management..." in support of such assertion. However, Applicant does not see "...by means of some buffer management..." as necessarily disclosing "(buffers of the DS boundary nodes)" or "a service interface." As another example, Applicant submits the cited portions of the cited reference fail to disclose "...a plurality of transport interfaces operatively coupled to the service interface, the service interface assigning a first data packet having a first differentiated service codepoint value to a first transport interface according to the differentiated service profile." While the Examiner cites "(buffers of nodes within DS domain)" as allegedly disclosing "a plurality of transport interfaces," Applicant notes the Examiner relies upon "Nodes within the DS domain select the forwarding behavior for packets based on their DS codepoint" and "PHBs are implemented in nodes by means of some buffer management..." in support of such assertion. However, Applicant does not see "...by means of some buffer management..." as necessarily disclosing "(buffers of nodes within DS domain)" or "a plurality of transport interfaces." Moreover, the Examiner states, "(it is Examiner's position that the DS domain can be the apparatus with boundary nodes as service interface that pass a data packet to nodes within domain as transport interface according to DSCP)." However, Applicant notes claim 1 recites "...according to the differentiated service profile," and the Examiner alleges "(PHB group)" teaches "a differentiated service profile." Thus, Applicant submits the Examiner's assertions as to the teachings of the cited portions of the cited reference are inconsistent. Thus, Applicant submits claim 1 is in condition for allowance.

As to claim 2, Applicant submits the cited portions of the cited reference fail to disclose the subject matter of claim 2. As one example, while the Examiner cites "(buffers of the DS boundary nodes)" as allegedly disclosing "a service interface," Applicant notes the Examiner relies upon "...DS boundary nodes which classify...ingress traffic...to ensure that packets which transit the domain are appropriately marked to select a PHB from one of the PHB groups supported within the domain..." and "PHBs are implemented in nodes by means of some buffer management..." in support of such assertion. However, Applicant does not see "...by means of some buffer management..." as necessarily disclosing "(buffers of the DS boundary nodes)" or "a service interface." As another example, Applicant submits the cited portions of the cited reference fail to disclose "...wherein the service interface assigns a second data packet having a second differentiated service codepoint value to a second transport interface according to the differentiated service profile." The Examiner cites "('A DS domain has a well-defined boundary consisting of DS boundary nodes which classify ingress traffic ... to ensure that packets which transit the domain are appropriately marked to select a PHB from one of the PHB groups supported within the domain, Section 2.1 Differentiated Service Domain)" Applicant submits such alleged teaching fails to disclose the subject matter of claim 2. Rather, Applicant notes that by assigning "a second data packet having a second differentiated service codepoint value to a second transport interface according to the differentiated service profile," it is possible to avoid the need for packets to be "appropriately marked" as per the alleged teachings of the cited portion of the cited reference. Thus, Applicant submits claim 2 is in condition for allowance.

The Examiner has rejected claims 6-15, 17-19, 21, 22, and 26-30 under 35 U.S.C. § 103(a) as being unpatentable over RFC 2475 in view of Chow et al. (U.S. Patent No. 7,072,300). Applicant respectfully disagrees.

As to claim 6, Applicant submits the cited portions of the cited reference fail to suggest the subject matter of claim 6. As one example, Applicant submits the cited portions of the cited reference fail to suggest "...wherein the data packets received at the service interface includes a first subset of the data packets having a first class of service and a second subset of the data packets having a second class of service." Applicant notes the Examiner alleges "(output control queues 240 in Fig. 3, col. 7, line 21)" teaches "the service interface." However, Applicant notes the Examiner alleged with respect to claim 1, from which claim 2 depends, "(buffers of DS boundary node)" disclose "a service interface." Thus, Applicant submits the Examiner inconsistently alleges purported teachings as to a "service interface." Thus, Applicant submits claim 6 is in condition for allowance.

As to claims 7 and 8, the Examiner alleges "Chow further discloses a first transport interface transports the first subset of data packets having the first class of service (pair of H/L priority queues 350 in Fig. 3, col. 7, lines 21-22)" and "Chow further discloses a second transport interface transports the second subset of data packets having the second class of service (another pair of H/L priority queues 350 in Fig. 3, col. 7, lines 21-22)." However, Applicant notes what the Examiner refers to as "(pair of H/L priority queues 350...)" and "(another pair of H/L priority queues 350...)" are described, in col. 7, lines 25-26, as "For clarity, FIG. 3 shows priority queues 350 associated with two priority levels: high and low priority." Accordingly, Applicant submits "(pair of H/L priority queues 350 in Fig. 3, col. 7, lines 21-22)" and "(another pair of H/L priority queues 350 in Fig. 3, col. 7, lines 21-22)" does not appear to teach or suggest the subject matter of claims 7 and 8. Thus, Applicant submits claims 7 and 8 are in condition for allowance.

As to claim 9, the Examiner alleges "Chow further disclose differentiated serviced profile maps (action memory 412 in Fig. 4, col. 7, line 65) the first differentiated service codepoint value (DSCP in Fig. 6, col. 8, lines 53-54) to the first class of service and a first drop precedence and maps the second differentiated service and a second drop precedence." However, Applicant submits the Examiner fails to alleges the cited reference as purportedly disclosing "The apparatus of claim 8 wherein the differentiated service profile maps the first differentiated service codepoint value to the first class of service and a first drop precedence and maps the second differentiated service codepoint value to the second class of service and a second drop precedence," as per claim 9. Moreover, Applicant does not see mention of "a first class of service," "a first drop precedence," "a second class of service," and "a second drop precedence" in the cited portions of the cited reference. Thus, Applicant submits claim 9 is in condition for allowance.

As to claim 10, the Examiner merely states, "...see analyses for claims 1 and 6." However, Applicant notes claim 10 recites subject matter not recited in claims 1 and 6, for which Applicant submits the Examiner does not cite evidence to support the rejection of claim 10. As one example, Applicant notes claim 10 recites, "assigning classes of service based on differentiated service codepoint values associated with the data packets according to a differentiated service profile." As another example, Applicant notes claim 10 recites "routing packets to transport interfaces associated with the classes of service." Accordingly, Applicant submits claim 10 is in condition for allowance.

As to claims 11-15, Applicant notes the Examiner has stated only a prepositional phrase ("With regard to claims 11-15") and has not cited any evidence in support of the rejection. Thus, Applicant submits claims 11-15 are in condition for allowance.

As to claims 17 and 18, Applicant notes the Examiner has stated only a prepositional phrase ("With regard to claims 17-18") and has not cited any evidence in support of the rejection. Thus, Applicant submits claims 17 and 18 are in condition for allowance.

As to claim 19, the Examiner merely states "...see analyses for claims 1 and 6." However, Applicant notes claim 19 recites subject matter not recited in claims 1 and 6, for which Applicant submits the Examiner does not cite evidence to support the rejection of claim 19. As one example, Applicant notes claim 19 recites, "...the transport interfaces carrying subsets of the data packets wherein the classes of service of the subsets of the data packets carried by the transport interfaces are unique to each of the transport interfaces." Accordingly, Applicant submits claim 19 is in condition for allowance.

As to claim 21, the Examiner merely states "...see analyses for claims 1 and 6." However, Applicant notes claim 21 recites subject matter not recited in claims 1 and 6, for which Applicant submits the Examiner does not cite evidence to support the rejection of claim 21. As one example, Applicant notes claim 19 recites, "...the differentiated service profile defining a correspondence of differentiated service codepoint values to the classes of service." Accordingly, Applicant submits claim 21 is in condition for allowance.

As to claim 22, the Examiner merely states, "...see analyses for claim 21 and claim 9." However, as noted above, for claim 21, the Examiner merely states "...see analyses for claims 1 and 6." Applicant has presented arguments as to the lack of evidence to support the rejection of claim 21. Accordingly, Applicant also submits the Examiner does not cite evidence to support the rejection of claim 22. Therefore, Applicant submits claim 22 is in condition for allowance.

As to claim 26, the Examiner merely states, "...see analysis for claim 19." As Applicant stated above with respect to claim 19, Applicant notes claim 19 recites subject matter not recited in claims 1 and 6, for which Applicant submits the Examiner does not cite evidence to support the rejection of claim 19. Applicant also submits claim 26 recites subject matter not recited in claims 1 and 6. As one example, Applicant notes claim 26 recites, "...the transport interfaces carrying subsets of the data packets wherein the classes of service of the subsets of the data packets carried by the transport

interfaces are unique to each of the transport interfaces." Accordingly, Applicant submits claim 26 is in condition for allowance.

As to claim 27, the Examiner merely states, "...see analysis for claim 20." Applicant notes the Examiner has allowed claim 20. Thus, consistent with the manner in which the Examiner has apparently analyzed claim 20, Applicant submits claim 27 is also in condition for allowance.

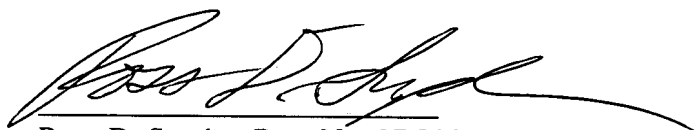
As to claims 28-30, the Examiner merely states "...see analysis for claim 9." Applicant submits the Examiner's analysis with respect to claim 9 doesn't appear to allege teaching as to all of the subject matter recited in claims 28-30. As one example, Applicant submits the Examiner does not appear to allege, with respect to claim 9, teaching as to "...wherein one differentiated service profile is associated with each service interface." Thus, Applicant submits claims 28-30 are in condition for allowance.

The Examiner states that claims 3-5, 16, 20, 23-25, and 31-33 are objected to as being dependent upon a rejected base claim but that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date


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